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# Office Action Summary

Application No. 10/807,481	Applicant(s) WOZNIAK ET AL.	
Examiner David J. Parsley	Art Unit 3643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 223-1450" on September 12, 2005.

Joseph F. Wozniak

A handwritten signature in cursive script, appearing to read "J F Wozniak".



### *Description*

#### FIELD OF THE INVENTION

This invention relates to a device for containing bait for fishing. More specifically, the invention relates to a device for holding cut or live bait that hangs from two handles from the rail of a boat, that is readily accessible and has an extension one side to hold tools and the other side to hold a cup, can or bottled beverage.

#### BACKGROUND OF THE INVENTION

Many devices have been provided for convenient carrying of baits and tackle for fishing. Such devices have included conventional tackle boxes, compartmentalized plastic containers, minnow pails and buckets and the like.

Various baits such as clams, bunker, squid, worms fish eggs and killies are utilized for fishing. Many of such types of baits are stored in a central area away from the fishermen. A need existed for a convenient and portable way for fishermen to access their bait. Numerous types of fishing equipment has been provided in prior art that are adapted to retain tackle, bait and the like. While other bait holders are suitable for the particular purpose to which they address, they would not be as suitable for the purposes of the present invention as heretofore described.

#### SUMMARY OF INVENTION

It is a principal object of the present invention to provide a convenient, portable and easily accessible way to retain and transport one or more cut and or live types of bait. In accordance with an important aspect of the invention, two handles are provided with opposite closure angles to hang from a boat rail to ensure stability while hanging from a boat rail.

A further object is to provide a cut and or live bait holder that is simple and easy to use.

A still further object is to provide a cut and or live bait holder that is economical in cost to manufacture.

Briefly, the invention provides a device that retains, is easily accessible and transports cut and or live bait that hangs by two hooked arch handles and extend upward from the main body of the device, facing in opposite directions, enabling the apparatus to hang from the railing of a boat, pier, dock or fishing area and maintains stability against turbulent water/windy conditions. The device includes an extension on its side for holding tools such as pliers, knives or clippers. The opposite side of the device contains holder for a cup, can or bottled beverage.

Further aspects and advantages of the invention will become apparent from the following detailed description, claims and accompanying drawings. However, the drawings are illustrative only, and changes may be made in specific construction illustrated and described within the scope of amended claims.



### *Claims*

What we claim for "The Deluxe Hang Around Bait Holder":

1. A hanging fishing bait holder for a railing on a boat, said bait holder comprising:
  - (a) two handles positioned diagonally opposite one another, consisting of a curved "J" shape in opposite directions at the top of each handle hooking transversely over the top of a railing of a boat;
  - (b) upper end of the handles hook transversely over the top of a boat rail from an inside surface of the rail to an outside surface of the rail, upper end includes a hooked segment that arches at the top of the handles and wraps around to the bottom of the boat rail;
  - (c) hooked arched handles pivot to both the outer and inner surface of the boat rail ensuring stability;
  - (d) hooked arched handles hang from various boat rail thicknesses up to 2 inches;
2. A hanging fishing bait holder as defined in claim 1, consisting of a squared container including a bottom wall, front, back and side walls, defining a principle chamber with an open top;
3. A hanging fishing bait holder as defined in claim 2, comprising a round shaped beverage holder attached to one end the bait container;
4. A hanging fishing bait holder as defined in claim 2, comprising a round tubular shaped tool holder opposite the beverage holder;

5. A hanging fishing bait holder as defined in claims 3&4, allowing interchangeability of the hanging position for placement of the cup holder and tool holder to the side of preference (left handed/right handed) for the fisherman.



## Brief Description of the Drawings

**Figure 1** contains three views of the Deluxe Hang Around Bait Holder. The top figure is a view looking down. The lower left drawing is side view of Deluxe Hang Around Bait Holder hanging on the railing of a boat and the lower right drawing is a front view of Deluxe Hang Around Bait Holder hanging on the railing of a boat rail. The top figure and lower left figure have numbers assigned to sections of the Deluxe Hang Around Bait Holder and identifying them in subsequent figures.

**Figure 2** is a side view of the "J" shaped hanger of the Deluxe Hang Around Bait Holder shown in the lower left and lower right drawings shown in Fig. 1.

**Figure 3** is the side end plates that form two sides of the Deluxe Hang Around Bait Holder shown in Fig. 1.

**Figure 4** is the side end plates that support the two "J" shaped of the Deluxe Hang Around Bait Holder shown in Fig. 1.

**Figure 5** is the overhead and side view of the Deluxe Hang Around Bait Holder drink holder showing diameter and length shown in Fig. 1.

**Figure 6** is the overhead and side view of the Deluxe Hang Around Bait Holder tool holder showing diameter and length shown in Fig. 1.

**Figure 7** is the bottom piece of the Deluxe Hang Around Bait Holder shown in Fig. 1.